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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,070	06/25/2001	Lauge S. Sorensen	219.40065X00	6580
23838	7590	09/08/2004	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			MARTIN, NICHOLAS A	
			ART UNIT	PAPER NUMBER
			2154	
DATE MAILED: 09/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/887,070	SORENSEN, LAUGE S.	
	Examiner	Art Unit	
	Nicholas A. Martin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/21/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-20 are presented for examination.

Specification

The disclosure is objected to because of the following:

2. On page 5, line 5, it states, "...meta tags". This is incorrect as it should be Meta tags. This error occurs throughout the rest of the specification whenever Meta tags is mentioned.
3. On page 7, line 21; page 8, line 14; page 9 line 23, it states, "...several network nodes or devices 20-26." This is incorrect because in Figure 1 there are no reference numbers for 21, 23 or 25, only 20, 22, 24 and 26.
4. On page 9, lines 2-24, appears to be referencing Figure 1 as an example to further illustrate the invention but no mention of which figure from the drawings is present.

Appropriate correction is required.

Claim Objections

Claims 1, 10 and 17 are objected to because of the following informalities:

5. Claims 1, 10 and 17 refer to a part of the invention either creating or receiving "... one of HTML and XML content". This is incorrect and inconsistent with the specification where it should be HTML or XML content.

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6. Claim 10, lines 8-9 state, "the HTTP header and associated content being sent to across the second interface to..." should be the HTTP header and associated content being sent to the second interface to at least one network node.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 10, 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claim language in the following claims is murky or not clearly understood:

i. As per claim 1, line 4; claim 10, line 3; claim 17, line 3, it is not clearly understood whether "the content" refers to HTML or XML content.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hailpern et al. (hereinafter Hailpern) US 6,094,657.

9. As per claim 1, Hailpern teaches a method for moving Hyper Text Markup Language (HTML) and Extensible Markup Language (XML) information into a Hyper Text Transfer Protocol (HTTP) header, comprising the steps of:

creating one of HTML and XML content (Col. 6, lines 47-51);

inserting information into the content, all inserted information having identifiers (Col. 3, lines 38-40; Col. 6, lines 3-12);

searching the content for all information with the identifiers (Col. 7, lines 1-3; Col. 18, lines 8-11); and

generating a HTTP header for the content, the generated HTTP header including the information located in the content (Col. 6, lines 11-12, lines 22-24, lines 47-51).

10. As per claim 2, Hailpern teaches the method of claim 1, further comprising:

performing the creating and inserting by a developer at a network device (Col. 4, lines 34-39).

11. As per claim 3, Hailpern teaches the method of claim 2, wherein:

the network device is a web server (Col. 4, lines 20-25, lines 34-39).

12. As per claim 4, Hailpern teaches the method of claim 1, wherein:

the content comprises of at least one web page (Col. 15, 56-59; Col. 16, lines 1-2).

13. As per claim 5, Hailpern teaches the method of claim 1, wherein:

the information comprises Internet cache control information (Col. 2, lines 16-19; Col 16, lines 15-21).

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14. As per claim 6, Hailpern teaches the method of claim 1, wherein:

the identifiers comprise at least of one Meta tag, a label, a tag and a command (Col. 5, lines 65-67; Col. 6, lines 1-2).

15. As per claim 7, Hailpern teaches the method of claim 1, which performs:

the searching and generating at a network node, the network node being at a different location than where the creating and inserting are performed (Col. 6, lines 11-12, lines 22-24, lines 47-51; Col. 7, lines 1-3; Col. 8, lines 10-23; Col. 18, lines 8-11;).

16. As per claim 8, Hailpern teaches the method of claim 7, wherein:

the network node comprises a router (Col. 4, lines 37-39).

17. As per claim 9, Hailpern teaches the method of claim 8, further comprising:

performing the searching and generating by a network appliance at the router (Col. 4, lines 34-39; Col. 6, lines 11-12, lines 22-24, lines 47-51; Col. 7, lines 1-3; Col. 8, lines 10-23; Col. 18, lines 8-11;).

18. As per claim 10, Hailpern teaches a device connected to a network, comprising:

an interface to at least one network device, the interface receiving one of HTML and XML content, the content having information inserted into it, all inserted information having identifiers (Col. 6, lines 3-12, lines 47-51; Col. 3, lines 38-40);

a network appliance, the network appliance searching the content for all information with the identifiers and generating a HTTP header for the content, the generated HTTP header including the information located in the content (Col. 6, lines 11-12, lines 22-24, lines 47-51; Col. 7, lines 1-3; Col. 18, lines 8-11;); and

a second interface to a network, the HTTP header and associated content being sent to across the second interface to at least one network node (Col. 8, lines 13-23).

19. As per claim 11, Hailpern teaches the device in claim 10, wherein:
the at least on network device comprises a server (Col. 4, lines 20-25, lines 34-39).
20. As per claim 12, Hailpern teaches the device of claim 10, wherein:
the information comprises Internet cache control information (Col. 2, lines 16-19;
Col 16, lines 15-21).
21. As per claim 13, Hailpern teaches the device of claim 10 wherein:
the identifiers comprise at least one of a Meta tag, label, tag, and a command
(Col. 5, lines 65-67; Col. 6, lines 1-2).
22. As per claim 14, Hailpern teaches the device of claim 10, wherein:
the network comprises the Internet (Col. 4, lines 22-25).
23. As per claim 15, Hailpern teaches the device of claim 10, wherein:
the at least one network node comprises an Internet cache (Col. 2, lines 16-19;
Col. 16, lines 15-33).
24. As per claim 16, Hailpern teaches the device of claim 10, wherein:
the content comprises at least one web page (Col. 15, 56-59; Col. 16, lines 1-2).
25. As per claim 17, Hailpern teaches an apparatus comprising a storage medium with
instructions stored therein, the instructions when executed causing a computing device to
perform:

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receiving one of HTML and XML content, the content having information inserted into it, all inserted information having identifiers (Col. 3, lines 38-40; Col. 6, lines 3-12; Col. 8, lines 30-33);

searching the content for all information with the identifiers (Col. 7, lines 1-3; Col. 18, lines 8-11); and

generating a HTTP header for the content, the generated HTTP header including the information located in the content (Col. 6, lines 11-12, lines 22-24, lines 47-51).

26. As per claim 18, Hailpern teaches the apparatus of claim 17, wherein:

the content comprises of at least one web page (Col. 15, 56-59; Col. 16, lines 1-2).

27. As per claim 19, Hailpern teaches the apparatus of claim 17, wherein:

the information comprises Internet cache control information (Col. 2, lines 16-19; Col 16, lines 15-21).

28. As per claim 20, Hailpern teaches the apparatus of claim 17, wherein:

the identifiers comprise at least one of a Meta tag, label, tag, and a command (Col. 5, lines 65-67; Col. 6, lines 1-2).

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Method And Apparatus For Moving HTML/XML Information Into A HTTP Header In A Network".

- | | | |
|------|-------------------|------------------|
| i. | US 6,275,937 | Hailpern et al. |
| ii. | US 5,852,717 | Bhide et al. |
| iii. | US 6,697,825 | Underwood et al. |
| iv. | US 2002/0091755A1 | Narin, Attila. |
| v. | US 2002/0169875A1 | Furui et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas A. Martin whose telephone number is (703) 605-4352. The examiner can normally be reached on Monday - Friday 8:30am - 5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nam

August 24, 2004

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100